

E-filed 4/28/06

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INVESTMENTS LIMITED, OFFER HIGH INVESTMENTS
LIMITED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ANTHONY P. DiCHIARA,

Plaintiff,

v.

RODERICK SUTTON, DESMOND CHIONG,
FERRIER HODGSON, MOULIN GLOBAL
EYECARE HOLDINGS LIMITED
(SUCCESSOR TO MOULIN
INTERNATIONAL HOLDINGS LIMITED),
AMPLE FAITH INVESTMENTS LIMITED,
OFFER HIGH INVESTMENTS LIMITED,
ECCA HOLDINGS CORPORATION and DOES
ONE through TEN inclusive,

Defendants.

Case No. 06-0670 JF

**STIPULATION AND [PROPOSED]
ORDER RE SCHEDULE FOR (1)
FILING OF AMENDED
COMPLAINT; (2) DEFENDANTS'
RESPONSE TO AMENDED
COMPLAINT; AND (3) CASE
MANAGEMENT CONFERENCE**

Pursuant to Rule 7-12 of the Local Rules for the United States District Court for the
Northern District of California, Defendants Roderick Sutton, Desmond Chiong, Ample Faith
Investments Limited, Offer High Investments Limited, and ECCA Holdings Corporation, and
Plaintiff Anthony DiChiara (all of the preceding collectively, the "Parties") enter into the

1 following stipulation. The Defendants do not submit or consent to the personal jurisdiction of
2 this Court or any other court by the filing of this Stipulation.

3 WHEREAS the Parties previously stipulated to, and this Court therefore ordered, a stay of
4 all proceedings and an adjournment of all deadlines in the above-captioned action, including
5 discovery and Defendants' deadline for filing their responses to Plaintiff's Complaint, until April
6 18, 2006;

7 WHEREAS the United States Bankruptcy Court for the Northern District of California
8 entered an order dated March 3, 2006, which stayed proceedings involving certain claims alleged
9 and certain parties named in the Complaint pursuant to 11 U.S.C. §§ 1520, 1521 and 362(a); and

10 WHEREAS Plaintiff intends to file an amended complaint;

11 THEREFORE, IT IS HEREBY STIPULATED:

12 1. Plaintiff Anthony DiChiara shall file an amended complaint no later than April 21,
13 2006.

14 2. Defendants Roderick Sutton, Desmond Chiong, Ample Faith Investments Limited,
15 Offer High Investments Limited, and ECCA Holdings Corporation shall file their response to the
16 amended complaint no later than May 5, 2006.

17 3. Defendants Roderick Sutton, Desmond Chiong, Ample Faith Investments Limited,
18 Offer High Investments Limited, and ECCA Holdings Corporation shall notice any motion filed
19 in response to the amended complaint for hearing before the Honorable Jeremy Fogel on June 9,
20 2006.

21 4. The Case Management Conference currently scheduled for June 16, 2006 shall be
22 continued until July 7, 2006.

1 SO STIPULATED:

2 Dated: April _____, 2006

CEDRIC C. CHAO
JAMES M. SCHURZ
PATRICIA S. MAR
MORRISON & FOERSTER LLP

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6 By: _____
Cedric C. Chao

7 Attorneys for Defendants
8 RODERICK SUTTON, DESMOND
9 CHIONG, AMPLE FAITH
INVESTMENTS LIMITED, OFFER
HIGH INVESTMENTS LIMITED

10
11 Dated: April _____, 2006

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26 By: _____
27 Noelle Kowalczyk

28 Attorneys for Plaintiff
ANTHONY P. DiCHIARA

1 Dated: April _____, 2006

JOHN C. DWYER
DANIEL R. KALEBA
COOLEY GODWARD LLP


4 By: _____

John C. Dwyer

Attorneys for Defendant
ECCA HOLDINGS CORPORATION

9 PURSUANT TO STIPULATION, IT IS SO ORDERED:

11 Dated: 4/27/06
12 _____


HONORABLE JEREMY FOGEL
U.S. District Court Judge